IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 16642 of 2004

Between:

G.T.Manohar Babu, s/o Obuleshu,
Sri Balasiva Jr.College, Kurnool Town, Kurnool District.

... PETITIONER

AND

1 Government of A.P., rep., by its Prl.Secretary, Education Department, A.P.Secretariat, Hyderabad.
2 The Commission of Intermediate Education, Andhra Pradesh, Nampally, Hyderabad.
3 S.B.S.Y.M.Degree College, rep., by its Correspondent, Kurnool Town, Kurnool District.
4 Sri Balasiva Junior College, rep., by its Correspondent, Kurnool Town, Kurnool District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order of direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not absorbing the petitioner as Junior Lecturer in Physics (Aided Vacancy) of the 4th respondent Junior College as highly illegal, arbitrary and unjust and consequently direct the respondents to absorb the petitioner as a Junior Lecturer in Physics in Aided Vacancy of the 4th respondent college

Counsel for the Petitioner: MR.D.V.NAGARJUNA BABU

Counsel for the Respondent Nos: GP FOR EDUCATION

The Court at the admission stage made the following:

Oral Order:

The petitioner was appointed as a Junior Lecturer in Physics in an unaided vacancy in the third respondent College in the year 2000 and later he was transferred to the fourth respondent College and presently he is working in the fourth respondent College. The petitioner contends that in pursuance of an unaided vacancy of a Lecturer the fourth respondent sent a proposal to the second respondent for ratification of the absorption of the petitioner in the aided post. The petitioner further contends that the proposal did not see the light of the day on account of the correspondence between respondents 1 and 2 and so much delay is being caused in ratifying the proposal sent by the fourth respondent for absorption of the petitioner in the aided vacancy.

Having regard to the facts and circumstances explained by the petitioner, the respondents 1 and 2 are directed to pass appropriate orders on the proposal made by the fourth respondent on 21-9-2001 according to rules regarding the request of the fourth respondent for ratification of the absorption of the petitioner in the aided post as a Junior Lecturer in Physics within eight weeks from the date of receipt of this order.

The respondents while passing the order may also verify G.O.Ms.No.163 Education (CE.III-2) Department dated 21-7-1993 about its applicability to the facts of this case.

The writ petition is disposed of with the above directions.

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(Dr.G. Yethirajulu, J)

17th September 2004

svs

ASSSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Principal Secretary to Government, Education Department, Secretariat, Hyderabad.
2. The Commission of Intermediate Education, Andhra Pradesh, Nampally, Hyderabad.
3. S.B.S.Y.M.Degree College, rep., by its Correspondent, Kurnool Town, Kurnool District.
4. Sri Balasiva Junior College, rep., by its Correspondent, Kurnool Town, Kurnool District.
5. The Government Pleader for Education. (OUT)
6. 2 CD copies